

FILED

JUN 18 2007

CLERK, US DISTRICT COURT
NORFOLK, VA

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA

v.

4:06CR136

TOMEKA RAILENE CALLIS,

Defendant.

REPORT AND RECOMMENDATION
CONCERNING GUILTY PLEA

Defendant, by consent, has appeared before the undersigned pursuant to Rule 11, Federal Rules of Criminal Procedure, and referral from a United States District Judge and has entered guilty pleas to one count of conspiracy to make false statements to a federal firearms licensee and one count of actually making a false statement to a federal firearms licensee, in violation of 18 U.S.C. §§ 371; 924(a)(1)(A). Defendant is also charged with one additional count of making a false statement to a federal firearms licensee, in violation of 18 U.S.C. § 924(a)(1)(A). Defendant understands that these charges will be dismissed upon acceptance of her guilty pleas, and the United States confirmed defendant's understanding.

On June 13, 2007, defendant appeared before the Court for the purpose of entering her guilty pleas. She was represented by appointed counsel, Arenda L. Wright Allen, Esquire. Defendant was appropriate in appearance, responsive, and competently prepared for the hearing. She answered all questions put to her in clear and concise language. On those occasions when she had a question, defendant consulted with counsel and then promptly answered. Defendant was courteous and appropriate in her behavior at all times and clearly understood the seriousness of her

position. At the close of the proceeding, defendant was permitted to remain free on pretrial supervision, pending completion of a presentence report.

Defendant is thirty-two years of age, attended school to the tenth grade, and speaks English as her native language. There was no evidence that defendant was on drugs, alcohol, or medication which might impair her judgment. She was cooperative throughout the proceeding.

Defendant entered the guilty pleas pursuant to a plea agreement. The Court is completely satisfied, based upon defendant's responses, that she fully appreciates her position. Furthermore, she acknowledged that the statement of facts prepared in anticipation of her pleas accurately reflects the government's evidence, in the event of trial.

After cautioning and examining defendant under oath concerning each of the subjects mentioned in Rule 11, the Court determined that the offenses charged are supported by independent facts, establishing each of the essential elements of such offense. Therefore, the Court recommends that the guilty pleas be accepted and that defendant be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this report and recommendation within ten days from the date of its service shall bar an aggrieved party from attacking such report and recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).



James D. Bradberry
UNITED STATES MAGISTRATE JUDGE

Norfolk, Virginia
June 18, 2007